

**American Chemistry Council
Comments on the Air Pollution Control Districts
Air Regulation for Jefferson County, KY
10-08-04**

The American Chemistry Council (ACC) appreciates this opportunity to provide comments on the Air Pollution Control Districts air regulation for Jefferson County, KY. ACC members are proud of the significant progress they have made in reducing emissions of hazardous air pollutants. The US EPA's latest Toxic Release Inventory highlights continued progress across the nation, with chemical industry emissions down over 70% since the late 1980s.

The 1990 Clean Air Act requirements established a series of dramatic emission reduction programs to improve the nation's air quality, and to reduce overall health risks and adverse ecological effects. The program first required stringent technology-based controls to drive down the overall emissions from major stationary sources, and now is following up these reductions with a health risk-based approach to address any potential remaining, or residual risks. EPA is currently evaluating residual risks from the chemical industry. EPA's preliminary analysis indicates that few unacceptable risks remain either nationally, or at the regional and local level. While EPA has not completed their analysis and issued the risk-based rulemaking, they have indicated that these rules will be complete by 2006. ACC, therefore, believes it is important that any state that is developing air regulations concurrently with EPA residual risk rules take into consideration the implications on industry's ability to comply with both sets of requirements in an appropriate and timely manner.

In addition, EPA has conducted a national assessment of air toxics risks, in which its analysis indicates that while some areas of the country do have relatively higher risks, these risks are not driven by major stationary sources. In fact, EPA's analysis of the 1996 National Air Toxics Assessment demonstrated that all industrial emissions combined amount to less than 10% of the remaining risks overall. While the varying contributions could differ at the local level, EPA's analysis underscores the considerable progress in reducing emissions and risks from major sources. EPA's analysis also highlights that continued ratcheting down on these major sources is unlikely to make a substantive reduction in either localized or national risk.

In this context, the ACC strongly encourages the APCD to carefully consider the overall contributions to risk in Jefferson County and to make thoughtful decisions about reducing risks and addressing any potential health impacts. While we cannot comment on the specific challenges that you face, we simply want to highlight that while stationary sources may be an obvious place to start your analysis of how to deal with an air quality problem, the reality in many instances is that these stationary sources are but a piece of the contribution, and that meaningful risk reduction is likely to necessitate a comprehensive look at the primary contributions to the problem in the community.

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